

REMARKS

Reconsideration and allowance of the present patent application based on the following remarks are respectfully requested.

By this Amendment, claims 1 and 3 are amended and claim 15 is cancelled. No new matter has been added. Accordingly, after entry of this Amendment claims 1-14 will remain pending in the patent application.

Entry of the Amendment is proper under 37 C.F.R. §1.116 as the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not present any new issues that would require further consideration and/or search as the amendments merely amplify issues discussed throughout the prosecution; (c) do not present any additional claims without canceling a corresponding number of claims; and (d) place the application in better form for appeal, should an appeal be necessary. Entry of the Amendment is thus respectfully requested.

Claim 3 was objected to due to an informality noted in the Office Action. In response, claim 3 has been amended to clarify that the air flow control device comprises a linearly movable valve. This amendment overcomes the objection. Accordingly, reconsideration and withdrawal of the objection to claim 3 is respectfully requested.

Claims 1-13 were rejected under 35 U.S.C. §102(e) based on U.S. Pub. No. 2005/0219809 to Muncaster *et al.* (hereinafter “Muncaster”). The rejection is respectfully traversed.

Claim 1 has been amended to recite the features of allowable claim 15. Therefore, claim 1, as amended, is now in condition for allowance. Indeed, as noted by the Office, Muncaster does not disclose, teach or suggest a temperature control device for a disk drive unit, the temperature control device comprising, *inter alia*, “an air flow control device...provided at the same vertical level within the temperature control device as the air flow generator, the air flow control device being substantially planar and slidable to vary the degree of opening of apertures within a side of the housing of the temperature control device.”

Claims 2-13 are patentable over the cited portions of Muncaster at least by virtue of their dependency from claim 1 and for the additional features recited therein.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-13 under 35 U.S.C. §102(e) based on Muncaster are respectfully requested.

Claim 14 was rejected under 35 U.S.C. §103(a) based on Muncaster. The rejection is respectfully traversed.

As noted above, claim 1 has been amended to recite the features of allowable claim 15. Thus, claim 14 is patentable over the cited portions of Muncaster at least by virtue of its dependency from claim 1 and for the additional features recited therein.

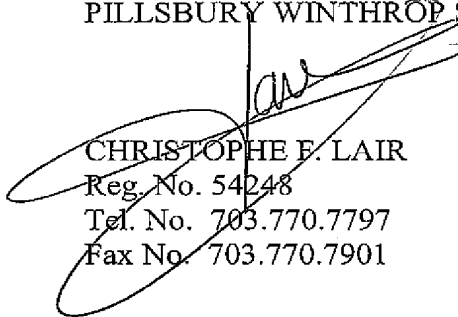
Accordingly, reconsideration and withdrawal of the rejection of claim 14 under 35 U.S.C. §103(a) based on Muncaster are respectfully requested.

The rejections and objections having been addressed, Applicant respectfully submits that the application is in condition for allowance, and a notice to that effect is earnestly solicited.

If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,
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